## REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested. Claims 1-21 are pending in the present application.

In the outstanding Office Action, Claims 1-21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hundermer (U.S. Patent No. 6,987,734) in view of Takase et al. (U.S. Patent No. 6,411,620).

Regarding the rejection of Claim 1, the outstanding Office Action cited virtual private networking server 46 of Hundermer as corresponding to the Claim 1 recited "one of said data handling nodes is a network processor for receiving data packets from and transmitting data packets to said packet-based network." Applicant respectfully traverses the interpretation and the rejection.

Hundermer describes that region control center 19 further includes a virtual private networking server 46 or a cluster of such servers which are used for establishing virtual private networks using Internet tunneling protocols, to client computer systems via the client's Internet server provider.[1] Moreover, control information and identifications of content requested by a client, are delivered from the client to the regional control center, via the virtual private networking connection.[2] Hundermer does not describe that the virtual private networking server 46 is a data handling node that can be reasonably interpreted to be a network processor for receiving data packets from and transmitting data packets to said packet-based network. Therefore, Hundermer does not teach or suggest "a network interface," as defined in Claim 1, and Takase does not cure this Hundermer deficiency.

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[1] See Hundemer Column 7, lines 11-15.
[2] See Hundemer Column 7, lines 15-18.

Further, the outstanding Office Action concedes that <u>Hundemer</u> does not teach that the virtual private networking server 46 is used "to remove said network-based packet header data from said packet", and relies on <u>Takase</u> to overcome this deficiency.

Furthermore, the system in <u>Hundemer</u> is intended for use with a single client PC. The client PC 10 establishes a slow bidirectional (wired) internet link and a fast, broadcast, unidirectional link, from the internet to the individual client PC. See Fig. 2 of <u>Hundemer</u>. <u>Hundemer</u> does this by including Internet packets as dummy digital TV (DTV) packets in a DTV broadcast stream.[3]

The outstanding Office Action appears to cite Internet (IP) header data of <u>Hundermer</u> as the "network-based packet header," as recited in Claim 1. The outstanding Office Action also appears to cite the DTV packet identifier (PID) of <u>Hundermer</u> as the "identifier which specifies a route across said routing arrangement to a target data handling node," as recited in Claim 1. Also, the outstanding Office Action appears to equate the fact that the PID is different for television packets and Internet packets in <u>Hundermer</u> with "specifies a route across said routing arrangement to a target data handling node and a data handling operation to be carried out by said target data handling node," as recited in Claim 1.

However, any part of the <u>Hundemer</u> transmitter (downlink, i.e. data to the client 10) system up to and including the transmitter mast 18-1 (Figure 2) *must* carry packets which include network routing information *and* an identification of the target client PC. By definition, there can be no part of the <u>Hundemer</u> system before this transmitter mast which *removes* the network-based packet identifier; otherwise, when the packets arrive at the target client PC, the PC would not know where (on the Internet) the packets originated from or how to reassemble them into a downloaded file. Accordingly, <u>Hundemer</u> cannot provide the function provided by Claim 1.

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[3] See <u>Hundemer</u> col. 8 lines 9-13.

After the transmitter mast, i.e. after reception by the <u>Hundemer</u> client antenna 38, the packets have already arrived at the target client PC 10. Accordingly, there is no technical basis for the idea of adding, at that stage, "an identifier which specifies a route across said routing arrangement to a target data handling node and a data handling operation to be carried out by said target data handling node," as defined in Claim 1, as the route to the target data handling node has already been taken.

Similarly, after reception by the <u>Hundemer</u> client antenna 38, it would not make sense to remove the internet packet header; in fact, that piece of information specifically has to remain in place until the very last stage of processing, in order that the client PC 10 can deal with the internet packet appropriately.

The further Claim 1 feature "to remove said packet identifier" relates to the launching of packets onto the network – or, in <u>Hundemer</u>, from the client onto the internet. However, there is no motivation or incentive to combine <u>Hundemer</u> with <u>Takase</u> in order to attain the subject matter of Claim 1. Firstly, the uplink from <u>Hundemer</u>'s client PC 10 to the Internet is a wired, conventional connection such as a dial up connection. Also, there is no reasonable technical basis to assert that the client PC 10 could receive a data packet "from another data handling node".

Relative to Claim 1, a packet (to be launched onto the network) has an "associated packet identifier" which specifies a type of payload data. <u>Hundemer</u> does not teach or suggest packets being generated at the client PC 10 which (i) have data identifying a type of payload data and (ii) which have network (internet) header data added in dependence upon such identifying data.

Because there is no teaching or suggestion in <u>Hundemer</u> of the client PC 10 generating packets which have data identifying a type of payload data, it is not possible to combine <u>Takase</u> with <u>Hundemer</u> to remove such data identifying the type of payload. In

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particular, in order for interact packets generated by Hundemer's client PC 10 to be correctly handled by the conventional, wired internet uplink, they *must* retain all of their packet header data. If Hundemer were to be combined with Takase, it is still not taught to make a system having a client PC 10 which *first* adds some sort of payload-identifying data and *then* immediately removes that payload-identifying data.

Consequently, Hundemer and Takase do not disclose or suggest all of the elements in Claim 1. Accordingly, it is respectfully submitted that Hundemer and Takase do not anticipate or make obvious the features of Claim 1. Therefore, Claim 1 is believed to patentably define over this applied art for all of the above reasons.

With regard to the rejection of Claims 2-16 as unpatentable over Hundemer in view of Takase, it is noted that Claims 2-16 are dependent from Claim 1, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Takase does not cure any of the above-noted deficiencies of Hundemer. Accordingly, it is respectfully submitted that Claims 2-16 are patentable over Hundemer in view of Takase.

Regarding the rejection of Claim 17, Claim 17 recites features similar to Claim 1, however Claim 17 is a method claim. Accordingly, just as Hundemer and Takase do not disclose or suggest all of the elements in Claim 1, similarly, Hundemer and Takase do not disclose or suggest all of the elements in Claim 17. Accordingly, it is respectfully submitted that Hundemer and Takase do not anticipate or make obvious the features of Claim 17. Therefore, Claim 17 is believed to patentably define over this applied art.

With regard to the rejection of Claims 18-21 as unpatentable over Hundemer in view of Takase, it is noted that Claims 18-21 are dependent from Claim 17, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Takase does not cure any of the above-noted deficiencies of Hundemer. Accordingly, it is respectfully submitted that Claims 18-21 are patentable over Hundemer in view of Takase.
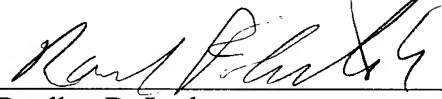
Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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